

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

CSX TRANSPORTATION, INC.,  
individually and on behalf of NORFOLK  
& PORTSMOUTH BELT LINE  
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-RJK

NORFOLK SOUTHERN RAILWAY  
COMPANY, *et al.*,

Defendants.

\_\_\_\_\_ /

**CSX TRANSPORTATION INC.'S NOTICE OF FILINGS**

Plaintiff CSX Transportation, Inc. ("CSX"), hereby notifies the Court of filings, as described below, in the following related proceedings:

*Norfolk S. Ry. Co. v. Surface Transp. Bd., et al.*, No. 22-1209 (D.C. Cir.)

On September 30, 2022, CSX, as an intervenor, filed a Motion to Dismiss for Lack of Jurisdiction and for Expedited Consideration in this appeal. A copy of CSX's Motion is attached here as **Exhibit 1**. On the same day, the Surface Transportation Board ("STB") filed a Motion to Dismiss for Lack of Jurisdiction. A copy of that Motion is attached here as **Exhibit 2**.

*Norfolk S. Ry. Co. v. Surface Transp. Bd., et al.*, Civil Action No. 2:22-cv-385 (E.D. Va.)

Also on September 30, 2022, CSX filed a Motion to Intervene in this matter, in which Defendant Norfolk Southern Railway Company ("NS") filed a complaint seeking review of a portion of the Surface Transportation Board's ("STB") Decision on the issue referred to the STB

by this Court's Opinion and Order of May 18, 2021 (ECF No. 395). A copy of CSX's Motion, Memorandum in Support, and Proposed Answer is attached here as **Exhibit 3**.

Dated: October 3, 2022

Respectfully submitted,

**CSX TRANSPORTATION, INC.**

*By Counsel*

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**CERTIFICATE OF SERVICE**

I certify that on this 3rd day of October, 2022, a true and correct copy of the foregoing was served on all counsel of record via Notice of Electronic Filing by filing with the Court's CM/ECF system.

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